IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

FRIDAY, THE 1ST JUNE 2007 / 11TH JYAISHTA 1929

Bail Appl..No. 3230 of 2007()

CRIME NO.217/2007 OF MANANTHAVADY POLICE STATION

PETITIONERS/ACCUSED NO.1 AND 2

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1. MOIDU P.M., S/O MUHAMMED, AGED 23 YEARS,
   PUTHENPURAYIL HOUSE, KUZHINILAM,
   P.O.MANANTHAVADY, MANANTHAVADY VILLAGE,
   WAYANAD DISTRICT.

2. E.V.HAMZA, S/O KUNHUMUHAMMED,
   IRIKKUMPURATH VALAPPIL HOUSE, KUZHINILAM,
   P.O.VIMALA NAGAR, MANATHAVADY VILLAGE,
   WAYANAD DISTRICT.

BY ADV. SRI.SUNNY MATHEW

RESPONDENTS: COMPLAINANT

STATE OF KERALA THROUGH THE SUB
INSPECTOR OF POLICE, MANANTHAVADY POLICE STATION,
REPRESENTED BY THE PUBLIC PROSECUTOR, HIGH COURT
OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.P.N.SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 01/06/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V.RAMKUMAR, J

B.A.NO.3230 of 2007

Dated this the 1st day of June, 2007

ORDER

Petitioners who are the first and second accused in Crime No. 217/2007 of Mananthavady Police Station for an offence punishable under Section 379 I.P.C., seek anticipatory bail.

2. The learned Public Prosecutor opposed the application.

3. Anticipatory bail cannot be granted in a case of this nature. But at the same time, I am inclined to permit the petitioners to surrender before the Investigating Officer for the purpose of interrogation and then to have their applications for bail considered by the Magistrate having jurisdiction. Accordingly, the petitioners shall surrender before the investigating officer on any day between 11-6-2007 and 13-6-2007 for the purpose of interrogation and recovery of incriminating material, if any. The petitioners shall thereafter be produced on the same day before the Magistrate who shall release them on bail on appropriate conditions.

This petition is disposed of as above.

V.RAMKUMAR, JUDGE

CSS/

V.RAMKUMAR, JUDGE

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